

## Leveson Round Up: Dealing with the big questions?

This month the **Leveson Inquiry** began with the nuts and bolts of a PCC replacement, but then turned to the really big questions at the heart of the phone hacking scandal. The Lord Justice heard details about various models for self and co-regulation. A series of philosophers, ethicists and media scholars told the Inquiry that failings of the UK press are situated in the broad issues of public interest, freedom of expression, privacy and media power. Throughout, it became clear that the proposals put forth from the industry at the beginning of the month will not do and the Lord Justice will be expected to put forth some clear markers on the big issues.

The main problem with the proposals presented by Lord Black and Lord Hunt at the beginning of the month on behalf of the newspaper publishers is that that they are not much of a change from the PCC. As Chris Frost, representing the National Union of Journalists pointed out there is a difference between a code for journalists and a code for publishers. He and others argued that at the very least a replacement for the PCC cannot be formed again just by the owners of media.

It comes down to the issue of power.

On the one hand the NUJ representatives told of journalists being pressured by their bosses into illegal behaviour and argued that the exclusion of the union and power that owners have over journalists contributed to the actions leading to the phone hacking scandal. The inquiry heard of **several models** that include journalists or their unions in self or co-regulatory bodies.

On the other hand as the Inquiry turned to the broader questions, Baroness Onora O-Neil and others explained there is a difference between the right to self-expression for the individual in the J.S. Mill sense and freedom of the press. For one thing while there is public interest in both, it must be defined separately for each because of the differences in the power of one individual and the power of large media organisations.

As academics tend to do, those testifying fully demonstrated the complexity of dealing with media power and media plurality, but several did put concrete proposals on the table for dealing with them. Those testifying from **CCMR**, **Hugh Tomlinson** and our own **Damian Tambini** suggested various mechanisms including fixed limits, periodic reviews, or triggers for review. Even those presenting **Ofcom's report** on plurality did not give Leveson a definite answer as to what exactly the UK's method for tackling media power should be, and Leveson made it clear that he was not going to be the one to decide exactly what percentage of ownership across media should be allowed.

By moving the Inquiry in this direction though, the Lord Justice has shown he is taking seriously the fact that the phone hacking scandal was a symptom of systemic problems in the UK media industry. Rebekah Brooks, Andy Coulson and six other have now been officially charged for the phone hacking at News of the World and may eventually go to prison. However expectations are now high that the Inquiry will not just identify what went wrong at NoW and then let the newspaper owners sweep the problems under the rug. Leveson will not wave a magic wand and fix all the problems in the British media, but will he draw some clear lines on the big issues upon which new systems can be built? We shall see after the break.

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July 30th, 2012 | **Media Plurality and Ownership, Press Regulation** | **0 Comments**

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